

## UNITED STATES DISTRICT COURT

for the  
Western District of Washington

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Jun 01, 2020	
CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
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In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

INFORMATION ASSOCIATED WITH EIGHT  
FACEBOOK ACCOUNTS

Case No. MJ20-5136

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, attached hereto and incorporated herein by reference.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, attached hereto and incorporated by reference herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☐ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☒ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC § 1073	Unlawful Flight to Avoid Prosecution

The application is based on these facts:

See Affidavit of FBI Special Agent Terrance G. Postma, attached hereto and incorporated by reference herein.

- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Terrance G. Postma  
Applicant's signature

Terrance G. Postma, Special Agent  
Printed name and title

Sworn to before me and signed in my presence.

Date: 06/01/2020

City and state: Tacoma, Washington

J. Richard Creatura  
Judge's signature

H ON. J. RICHARD CREATURA, U.S. MAGISTRATE JUDGE  
Printed name and title

**AFFIDAVIT**

STATE OF WASHINGTON )  
 ) ss  
 COUNTY OF PIERCE )

I, Terrance G. Postma, being first duly sworn, hereby depose and state as follows:

**BACKGROUND**

1. I have been employed as a Special Agent of the FBI since June 2002 and am currently assigned to the Seattle Division's Tacoma Resident Agency. I am responsible for investigations of violent crime, fugitives, and bank robbery. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to search the information described in Attachment A for the purpose of locating and apprehending Santiago Mederos who has a federal arrest warrant issued in the Western District of Washington for a charge of Unlawful Flight to Avoid Prosecution, Title 18, United States Code, Sections 1073 (MJ16-5179) arising from his flight from the Western District of Washington to avoid charges of murder, as described below. There is also probable cause to search the information described in Attachment A for evidence in the fugitive investigation, as described in Attachment B.

**PURPOSE OF AFFIDAVIT**

4. I make this affidavit in support of an application for a search warrant for information associated with the following Facebook accounts ("Subject Accounts"):

(1) Facebook user ID 100045392260014 (Subject Account 1), registered under the username Claudia Perez,

(2) Facebook user ID 100036795438133 (Subject Account 2), registered under the username Antony Villa,

(3) Facebook user ID 100027212567730 (Subject Account 3), registered under the username Juan Pablo Olvera,

(4) Facebook user ID 100033232150177 (Subject Account 4), registered under the username Nico Olvera,

(5) Facebook user ID 100034418213234 (Subject Account 5), registered under the username Maricarmen Olvera,

(6) Facebook user ID 100030779393705 (Subject Account 6), registered under the username Diel Garcia,

(7) Telephone number +52-4471126811 (Subject Account 7), and

(8) Facebook user ID 100051612820819 (Subject Account 8), registered under the username Antony Villa.

5. All of the requested information is stored at premises owned, maintained, controlled, or operated by Facebook, a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Facebook to disclose to the government records and other information in its possession, pertaining to the subscriber or customer associated with Subject Accounts.

### **PRIOR APPLICATIONS**

6. A prior application was made for and the Court granted a prior search warrant for Subject Account 1 on February 21, 2020 under MJ20-5029 and for Subject Account 2 on February 7, 2020 under MJ20-5016. The Court also issued a prior search warrant for Subject Accounts 2 through 6 on February 14, 2020, under MJ20-5027. The Court also issued a prior search warrant for Subject Account 1 through 6 on March 16,

2020, under MJ20-5056 and MJ20-5057, on April 13, 2020, under MJ20-5077 and MJ20-5078, on April 27, 2020, under MJ20-5094 and MJ20-5095, On May 12, 2020, under MJ20-5113, on May 19, 2020, under MJ20-5121, and on May 27, 2020 under MJ20-5128. The Court issued a prior search warrant for subject Account 7 on May 12, 2020 under MJ20-5113. The Court issued a prior search warrant for subject Account 8 on May 27, 2020, under MJ20-5128.

### **SUMMARY OF PROBABLE CAUSE**

7. In 2010, Santiago Mederos fled from Tacoma to Mexico after the murder of Camille Love and Jose Lucas. Santiago Mederos has outstanding warrants for the respective murders, and this Court has charged him for violation of Unlawful Flight to Avoid Prosecution, Title 18, United States Code, Sections 1073 on September 30, 2016 under Case No. MJ16-5179.

8. As described below, investigation by law enforcement has led to a Mexican phone number that is associated with a WhatsApp account whose profile photo includes a photograph of Santiago Mederos and Claudia Perez. Further search warrant returns indicate a romantic relationship between the two individuals. The user of the Mexican phone number also has a Facebook Account 100040501718452, which has shared a machine with Subject Account 2 (both accounts logged onto Facebook from the same device). Facebook Account 100040501718452 and Subject Account 2 are registered under aliases of Santiago Mederos. The remaining accounts are all related to Facebook Account 100040501718452 and Subject Account 2 and to each other, as they shared machine cookies with the other accounts as described in more detail below.

### **STATEMENT OF PROBABLE CAUSE**

#### **A. SANTIAGO MEDEROS AND THE LOVE AND LUCAS MURDERS**

9. On February 7, 2010, Tacoma Police Department (TPD) officers responded to the 5900 block of Portland Avenue regarding a shooting. At the scene, TPD officers and detectives discovered that Camile Love was the shooting victim. Love died from the injuries sustained in the shooting. Based on interviews of witnesses and

1 informants who admitted to participation in the shooting, the TPD detectives concluded  
2 that Santiago Mederos was the prime suspect in Love's murder and that the shooting was  
3 a result of a gang turf war.

4 10. On March 25, 2010, a homicide occurred within the city of Tacoma,  
5 Washington. TPD detectives identified the homicide victim as Jose Saul Lucas and  
6 identified the prime suspect in his murder as Santiago Mederos. Based on interviews of  
7 two witnesses, TPD detectives concluded that Santiago Mederos, a known member of the  
8 Eastside Lokotes Sureños (ELS) gang, and four other ELS gang members went to the  
9 residence of a rival gang member, Reynaldo Orozco, to collect money. When they could  
10 not find the rival gang member, they broke into and damaged Orozco's car, which was  
11 parked at the residence. When three individuals, who lived with Orozco, realized that the  
12 ELS gang members were vandalizing Orozco's vehicle, they confronted the gang  
13 members and a fight ensued. While attempting to flee the scene, Santiago Mederos and  
14 his accomplices fired a single gunshot, which struck and killed one of Orozco's  
15 roommates, Jose Saul Lucas.

16 11. As a result of their initial investigation, TPD detectives obtained an arrest  
17 warrant for Santiago Mederos for his involvement in the homicide. Further investigation,  
18 to include interviews with witnesses, friends and family members, revealed that Santiago  
19 Mederos is aware that he has a warrant for his arrest and has subsequently gone into  
20 hiding.

21 12. Ashley Rios, a friend of Santiago Mederos, stated in an interview with  
22 TPD detectives that she travelled to Mexico with Santiago Mederos to his Aunt's  
23 residence in Guerrero, Mexico, shortly after the Lucas murder.

24 13. Efforts to date to locate Santiago Mederos in Mexico have been  
25 unsuccessful.

## 26 **B. SUBJECT ACCOUNTS**

27 14. **Summary of Subject Accounts.** During the course of this investigation,  
28 law enforcement located a Mexican phone number, +52-7341170819, which has been

1 used to contact Mederos family members and has been used for a WhatsApp account  
2 with a profile picture of Santiago Mederos and Claudia Perez. Prior search warrant  
3 returns indicate that Santiago Mederos and Claudia Perez are in a romantic relationship  
4 and in close proximity to each other. That same Mexican phone number is associated  
5 with Facebook Account 100040501718452. Other information from Facebook generated  
6 by warrants and orders of this Court have revealed a network of other accounts that share  
7 “machine cookies” with Facebook Account 100040501718452 and with each other. As  
8 explained below, a machine cookie identifies the particular machine (phone, computer, or  
9 tablet) used to access an account, and a shared cookie indicates that two accounts were  
10 accessed on the same machine, which means the users are the same person or someone in  
11 close proximity to the other user. Thus, there is probable cause to believe that  
12 information from each of the Subject Accounts contains evidence about the location of  
13 Santiago Mederos.

#### 14 **Background on Mederos’s WhatsApp Profile**

15 15. In the course of this investigation, law enforcement has reviewed  
16 telephone records of members of the Mederos family and records of telephone numbers  
17 that are in communication with members of the Mederos family. In the course of  
18 reviewing those records, law enforcement identified a number, +52-7341170819.  
19 According to call records, the number ending in 0819 is in communication with  
20 individuals who are close to the Mederos family.

21 16. An online search of publicly available information indicate that the user  
22 of the number ending in 0819 has a WhatsApp account under the same telephone  
23 number. The WhatsApp account included a public profile picture of an individual who  
24 resembles Santiago Mederos and an unknown adult female that resembles Claudia Perez,  
25 and an unknown juvenile female.

26 17. Law enforcement has reviewed the WhatsApp profile picture associated  
27 with the number ending in 0819 and observed that the male individual in the WhatsApp  
28 profile picture has a tattoo on the right side of his neck and on his right shoulder. These



1 tattoos and the appearance of the individual's face match a photograph of Santiago  
2 Mederos that law enforcement obtained from a prior Facebook search warrant return in  
3 this investigation.

4 **Subject Accounts 1 and 2**

5 18. As explained below, law enforcement have identified the woman in  
6 Mederos's WhatsApp profile as Claudia Perez, who is in a romantic relationship with  
7 Santiago Mederos. Law enforcement believe that Perez is probably the user of Subject  
8 Account 1 and Mederos is probably the user of Subject Account 2.

9 19. Law enforcement has reviewed the WhatsApp profile picture associated  
10 with the number ending in 0819 and observed the hair of the adult female in the  
11 WhatsApp profile picture is black in color and that the ends of the hair appear to be  
12 colored blonde. The hair and the appearance of the individual's face match pictures  
13 posted to Subject Account 1.

14 20. Based on review of records returned to investigators by Facebook, Inc.  
15 pursuant to a search warrant issued by this Court, the user of the number ending in 0819  
16 has a Facebook account with the registered username of "Antono Mendoza." The user of  
17 the Facebook account responded to a text sent to the Mexican phone number +52-  
18 7341170819 on August 10, 2019. The date of birth provided by the account holder of the  
19 "Antono Mendoza" Facebook account is June 5, 1990. The birthdate of Santiago  
20 Mederos is June 5, 1991. Prior search warrant returns indicate that variations of the name  
21 "Antonio," like "Antono," are common aliases for Santiago Mederos.

22 21. Based on review of records returned to investigators by Facebook, Inc.  
23 pursuant to a search warrant issued by this Court, the username of Subject Account 2 is  
24 "Antony Villa." Facebook records returned to investigators pursuant to search warrants  
25 issued by this Court revealed that the username for two other Facebook accounts known  
26 to have been previously used by Santiago Mederos are "Anthony Villa" and "Antonio  
27 Villa," which is based on Mederos's other family name, Villalba. The date of birth  
28

1 provided by the account holder of the “Antony Villa” Facebook account is June 5, 1995.  
2 The birthdate of Santiago Mederos is June 5, 1991.

3 22. Based on review of records returned to investigators by Facebook, Inc.  
4 pursuant to a search warrant issued by this Court, Facebook Account 100040501718452  
5 and Subject Account 2 are linked by machine cookie, which means that two particular  
6 accounts have been accessed by the same individual machine (e.g., two Facebook  
7 accounts that have been accessed on the same phone). Such a “link” between two  
8 accounts indicates that the users are the same person or in close proximity to each other.

9 23. Based on review of records returned to investigators by Facebook, Inc.  
10 pursuant to a search warrant issued by this Court, the user of Subject Account 2 sent a  
11 message to the user of Subject Account 1 on January 27, 2020. The message when  
12 translated says, “Rest and sweet dreams, my love. I confess that I’m crazy in love with  
13 you but I recognize that it makes no sense if you don’t feel the same. I love you, baby.  
14 See you tomorrow.”

15 24. Based on review of records returned to investigators by Facebook, Inc.  
16 pursuant to a search warrant issued by this Court the user of Subject Account 2 also sent  
17 a message to the user of Subject Account 1 on January 30, 2020. The message when  
18 translated says, “Hello my love. God willing, everything will be fine, my queen. Cheer  
19 up, baby. I love you all, for real. I want to apologize to you from the bottom of my heart  
20 for how I am with you. I know we barely talk anymore. As you will say, it’s not  
21 possible because they are just looking after [us]. Never doubt that I love you and our four  
22 babies. You are my whole world. I love you, you are the most beautiful and perfect  
23 thing that God has given me.”

#### 24 **Subject Accounts 3 through 5**

25 25. As explained below, law enforcement have also found three Facebook  
26 accounts under the username “Olvera,” who appear to be friends of Santiago Mederos.  
27 The users also appear to be in close proximity with each other and with Mederos based  
28 on machine cookie overlap.



26. Based on review of records returned to investigators by Facebook, Inc. pursuant to a search warrant issued by this Court the username of Subject Account 3 is “Juan Pablo Olvera” and that the user of Subject Account 3 posted a photo to Subject Account 3 on February 1, 2020 that includes an individual that resembles Santiago Mederos. Review of the photo reveals that an individual in the photo has tattoos on the right side of his neck. The tattoos and the appearance of the individual’s face match a photograph of Santiago Mederos that law enforcement obtained from a prior Facebook search warrant return in this investigation.

27. Based on review of records returned to investigators by Facebook, Inc. pursuant to a search warrant issued by this Court the user of Subject Account 3 posted a photo to Subject Account 3 on December 2, 2019, that also includes an individual whose face matches a photograph of Santiago Mederos that law enforcement obtained from a prior Facebook search warrant in this investigation.

28. Based on review of records returned to investigators by Facebook, Inc. pursuant to a search warrant issued by this Court, Subject Account 2 (Mederos) and Subject Account 3 (Olvera) are linked by machine cookie. Based on review of these same records Subject Account 2 and Subject Account 3 are also associated with mobile device Type LG-D693n, indicating that Subject Account 2 and Subject Account 3 have been accessed by this particular Mobile Device Type.

29. Based on review of records returned to investigators by Facebook, Inc. pursuant to a search warrant issued by this Court, the username of Subject Account 4 is “Nico Olvera” and on July 4, 2019, a photo was posted in Mobile Uploads to Subject Account 4 along with a caption posted in English that states, “Feeling happy with Antony Villa, Claudia Perez, and Rigoberto Olvera.” A viewer can click on each of the three names and will be directed to the Facebook account for that person. If a user clicks on the name “Antony Villa,” the user will be directed to Subject Account 2 (Mederos). If the user clicks on the name “Claudia Perez,” the user will be directed to an account used by Claudia Perez. The picture that is posted depicts two adult males, one of whom

1 appears to be Santiago Mederos, one adult female who appears to be Claudia Perez, one  
2 juvenile male, and two juvenile females standing in front of a pink wall. A comment  
3 posted in Spanish by Subject Account 2 (Mederos) translates as, “This is always  
4 supporting the family in good times the bad and the worst but woe and want to simply  
5 support them in their studies.”

6 30. Based on review of records returned to investigators by Facebook, Inc.  
7 pursuant to a search warrant issued by this Court, Subject Account 3 and Subject Account  
8 4 are linked by machine cookie, which means that these accounts have been accessed by  
9 the same individual machine. Such a “link” between two accounts indicates that the  
10 users are the same person or in close proximity to each other. Review of those same  
11 records also reveals that Subject Account 2 (Mederos) and Subject Account 4 (Olvera)  
12 are also linked by machine cookie.

13 31. Based on review of records returned to investigators by Facebook, Inc.  
14 pursuant to a search warrant issued by this Court, the username of Subject Account 5 is  
15 “Maricarmen Olvera.” Open source research reveals that on February 8, 2012 the user of  
16 Subject Account 5 updated their cover photo. The user of Subject Account 2 liked the  
17 February 8, 2012, cover photo. Facebook records returned to investigators pursuant to a  
18 search warrant issued by this Court revealed that the user of Subject Account 5 has the  
19 same registered phone number as Facebook Account 100043012699881, registered under  
20 the username “Antony Beltran,” believed to be Santiago Mederos. As mentioned, prior  
21 search warrant returns indicate that variations of “Antonio,” such as “Antony,” are  
22 common aliases for Santiago Mederos. “Beltran” is a family name from Santiago  
23 Mederos’s paternal grandmother, Elena Fresnares Beltran, with whom, according to a  
24 confidential human source, Santiago Mederos has previously resided with since fleeing to  
25 Mexico. The users of Subject Account 5 and Facebook Account 100043012699881  
26 responded to a text from Facebook sent to the same phone number.

27 32. Based on review of records returned to investigators by Facebook, Inc.  
28 pursuant to a prior order of this Court, Subject Account 3 and Subject Account 4 shared

1 machine cookies with Subject Account 5, which means that these particular accounts  
 2 have been accessed by the same individual machine as the others. As mentioned, such a  
 3 “link” between the accounts indicates that the users are the same person or in close  
 4 proximity to each other.

### 5 **Subject Account 6**

6 33. As explained below, Subject Account 6 appears to be a Facebook account  
 7 of a friend in close proximity to Claudia Perez, who, as described above, is in close  
 8 proximity to Santiago Mederos.

9 34. Based on review of records returned to investigators by Facebook, Inc.  
 10 pursuant to a prior order of this Court, the username of Subject Account 6 is “Yadiel  
 11 Garcia.” A profile picture posted to Subject Account 6 on February 12, 2020, is the same  
 12 photo posted to Subject Account 1 as described earlier, and depicts Claudia Perez. The  
 13 user of Subject Account 6 posted a comment with the profile picture that states “te amo  
 14 mi nina y mucho” which translates as, “I love you a lot my girl.”

15 35. Based on review of records returned to investigators by Facebook, Inc.  
 16 pursuant to a search warrant issued by this Court, Subject Account 6 and the user of  
 17 Subject Account 5 engaged in a conversation on February 13, 2020. During the  
 18 conversation, the user of Subject Account 6 states, in translation, “You know I love you  
 19 but you better take care of our baby and never tell her about me, take care of her  
 20 Claudia.”<sup>1</sup> During the conversation, the user of Subject Account 6 referred to a baby and  
 21 how difficult it is to be apart from the baby. The user of the Facebook account with the  
 22 username “Maricarmen Olvera” and the user of Subject Account 6 agree to meet on  
 23 Sunday in “the garden.”

24 36. Another picture posted to Subject Account 6 on February 12, 2020,  
 25 depicts an infant girl with the comment “no podre estar con tigo me bb pero siempre  
 26

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27 <sup>1</sup> The original message is in Spanish, and I have used a translation service to translate the message into English in  
 28 this Affidavit.

1 pienso en ti dia adia no che tras noche” which translates, “I may not be able to be with  
2 you, baby, but I think about you day after day and night after night.”

3 37. A profile photo posted to Subject Account 6 on February 5, 2020, depicts  
4 what appears to be the same infant baby girl. The user of Subject Account 6 posted a  
5 comment with this profile picture that states “te amo mi bebita preciosa,” which  
6 translates, “I love you my precious baby.”

7 **Subject Account 7**

8 38. As explained below, the user of Subject Account 7 has used the same  
9 Internet Protocol (IP) address as Subject Account 2, believed to be used by Mederos,  
10 which indicates that the user is the same person or someone in close proximity to  
11 Mederos.

12 39. Based on review of Facebook pen register trap and trace activity received  
13 pursuant to an order of this Court IP address 200.68.129.125 was associated with activity  
14 on Subject Account 2 at 02:51:41 UTC on May 7, 2020.

15 40. Based on review of WhatsApp pen register trap and trace activity  
16 received pursuant to an order of this Court IP address 200.68.129.125 was associated  
17 with Subject Account 7 at 02:38:21 UTC on May 7, 2020.

18 41. Based on review of Facebook pen register trap and trace activity received  
19 pursuant to an order of this Court IP address 187.237.14.205 was associated with activity  
20 on Subject Account 2 between 01:44:48 UTC and 9:56:29 UTC on May 9, 2020.

21 42. Based on review of WhatsApp pen register trap and trace activity  
22 received pursuant to an order of this Court IP address 187.237.14.205 was associated  
23 with Subject Account 7 between 23:22:16 UTC on May 8, 2020 and 2:33:43 on May 9,  
24 2020.

25 43. Based on my training and experience I am aware that if two different  
26 accounts utilize the same IP address at approximately the same time it is likely that the  
27 users of the accounts are in close proximity to each other.  
28

44. Based on review of records returned to investigators by Facebook, Inc. pursuant to a search warrant issued by this Court On May 25, 2020 Subject Account 2 stated to Subject Account 1 “Te hablo si T leega marcar mi jefa le dices q deje la razon a este numero porfa 4471126811 si te lo agradezco cuidate si.” which translated states “I am contacting you in case my mom calls you please let her know to message me at 4471126811. Thanks and take care.”

#### **Subject Account 8**

45. As explained below, the username of Subject Account 8 is “Antony Villa” and law enforcement believes that the user of Subject Account 8 is Santiago Mederos.

46. Based on review of records returned to investigators by Facebook, Inc. pursuant to an order of this Court, Subject Account 8 was created on May 22, 2020, with the username “Antony Villa,” the same username of Subject Account 2, and an alias that Santiago Mederos has used for other Facebook accounts based on prior search warrant returns in this investigation.

47. Based on review of records returned to investigators by Facebook, Inc. pursuant to an order of this Court, Subject Account 8 sent a message to Ashley Rios on May 22, 2020. Ashley Rios stated in an interview with Tacoma Police Department detectives that she travelled with Santiago Mederos to his aunt’s residence in Guerrero, Mexico, shortly after the Lucas murder.

48. Based on review of records returned to investigators by Facebook, Inc. pursuant to an order of this Court, Subject Account 8 sent messages to Subject Account 1 on May 22, 2020.

49. Based on review of information available to any Facebook user, Subject Account 8 has twelve friends to include Subject Account 1 and Subject Account 5. Based on these connections to other accounts associate with Santiago Mederos, the communications with a person who has traveled with Mederos since the Lucas murder,

1 and the Mederos alias, Subject Account 8 is likely Mederos or someone in close  
2 communication or close proximity with him.

### 3 C. FACEBOOK INFORMATION STORAGE

4 50. I am aware from my experience and training, and consultation with other  
5 investigators, of the following information about Facebook:

6 51. Facebook owns and operates a free-access social networking website of  
7 the same name that can be accessed at <http://www.facebook.com>. Facebook allows its  
8 users to establish accounts with Facebook, and users can then use their accounts to share  
9 written news, photographs, videos, and other information with other Facebook users, and  
10 sometimes with the public.

11 52. Facebook asks users to provide basic contact and personal identifying  
12 information to Facebook, either during the registration process or thereafter. This  
13 information may include the user's full name, birth date, gender, contact e-mail  
14 addresses, Facebook passwords, Facebook security questions and answers (for password  
15 retrieval), physical address (including city, state, and zip code), telephone numbers,  
16 screen names, websites, and other personal identifiers. Facebook also assigns a user  
17 identification number to each account.

18 53. I know from speaking with other law enforcement that "cookies" are  
19 small files placed by a server (such as those used by Facebook) on a device to track the  
20 user and potentially verify a user's authentication status across multiple sites or  
21 webpages. This cookie could be unique to a particular account (e.g., the Facebook  
22 account) or to a given device (e.g., the particular phone used to access the Facebook  
23 account). The next time a user visits a particular site or server, the server will ask for  
24 certain cookies to see if the server has interacted with that user before. Cookies can also  
25 be used to determine "machine cookie overlap," or multiple accounts that have been  
26 accessed by the same individual machine (e.g., two Facebook accounts that have been  
27 accessed on the same phone). The machine cookie overlap thus allows Facebook to track  
28 accounts that are "linked" to each other because the same user account (username on a



1 computer) on the same device accessed multiple Facebook accounts. This can identify  
2 either multiple Facebook accounts used by the same person or used by different people  
3 sharing the same user account and device. In either case, the machine cookie overlap  
4 means that the users of the linked accounts are the same person or two people in close  
5 proximity to each other.

6 54. Facebook users may join one or more groups or networks to connect and  
7 interact with other users who are members of the same group or network. Facebook  
8 assigns a group identification number to each group. A Facebook user can also connect  
9 directly with individual Facebook users by sending each user a “Friend Request.” If the  
10 recipient of a “Friend Request” accepts the request, then the two users will become  
11 “Friends” for purposes of Facebook and can exchange communications or view  
12 information about each other. Each Facebook user’s account includes a list of that user’s  
13 “Friends” and a “News Feed,” which highlights information about the user’s “Friends,”  
14 such as profile changes, upcoming events, and birthdays.

15 55. Facebook users can select different levels of privacy for the  
16 communications and information associated with their Facebook accounts. By adjusting  
17 these privacy settings, a Facebook user can make information available only to himself or  
18 herself, to particular Facebook users, or to anyone with access to the Internet, including  
19 people who are not Facebook users. A Facebook user can also create “lists” of Facebook  
20 friends to facilitate the application of these privacy settings. Facebook accounts also  
21 include other account settings that users can adjust to control, for example, the types of  
22 notifications they receive from Facebook.

23 56. Facebook users can create profiles that include photographs, lists of  
24 personal interests, and other information. Facebook users can also post “status” updates  
25 about their whereabouts and actions, as well as links to videos, photographs, articles, and  
26 other items available elsewhere on the Internet. Facebook users can also post information  
27 about upcoming “events,” such as social occasions, by listing the event’s time, location,  
28 host, and guest list. In addition, Facebook users can “check in” to particular locations or

1 add their geographic locations to their Facebook posts, thereby revealing their geographic  
2 locations at particular dates and times. A particular user's profile page also includes a  
3 "Wall," which is a space where the user and his or her "Friends" can post messages,  
4 attachments, and links that will typically be visible to anyone who can view the user's  
5 profile.

6 57. Facebook allows users to upload photos and videos. It also provides users  
7 the ability to "tag" (i.e., label) other Facebook users in a photo or video. When a user is  
8 tagged in a photo or video, he or she receives a notification of the tag and a link to see the  
9 photo or video. For Facebook's purposes, the photos and videos associated with a user's  
10 account will include all photos and videos uploaded by that user that have not been  
11 deleted, as well as all photos and videos uploaded by any user that have that user tagged  
12 in them.

13 58. Facebook users can exchange private messages on Facebook with other  
14 users. These messages, which are similar to e-mail messages, are sent to the recipient's  
15 "Inbox" on Facebook, which also stores copies of messages sent by the recipient, as well  
16 as other information. Facebook users can also post comments on the Facebook profiles  
17 of other users or on their own profiles; such comments are typically associated with a  
18 specific posting or item on the profile. In addition, Facebook has a Chat feature that  
19 allows users to send and receive instant messages through Facebook. These chat  
20 communications are stored in the chat history for the account. Facebook also has a Video  
21 Calling feature, and although Facebook does not record the calls themselves, it does keep  
22 records of the date of each call.

23 59. If a Facebook user does not want to interact with another user on  
24 Facebook, the first user can "block" the second user from seeing his or her account.

25 60. Facebook has a "like" feature that allows users to give positive feedback  
26 or connect to particular pages. Facebook users can "like" Facebook posts or updates, as  
27 well as webpages or content on third-party (i.e., non-Facebook) websites. Facebook  
28 users can also become "fans" of particular Facebook pages.

1           61.       Facebook has a search function that enables its users to search Facebook  
2 for keywords, usernames, or pages, among other things.

3           62.       Each Facebook account has an activity log, which is a list of the user's  
4 posts and other Facebook activities from the inception of the account to the present. The  
5 activity log includes stories and photos that the user has been tagged in, as well as  
6 connections made through the account, such as "liking" a Facebook page or adding  
7 someone as a friend. The activity log is visible to the user but cannot be viewed by  
8 people who visit the user's Facebook page.

9           63.       Facebook Notes is a blogging feature available to Facebook users, and it  
10 enables users to write and post notes or personal web logs ("blogs"), or to import their  
11 blogs from other services, such as Xanga, LiveJournal, and Blogger.

12           64.       The Facebook Gifts feature allows users to send virtual "gifts" to their  
13 friends that appear as icons on the recipient's profile page. Gifts cost money to purchase,  
14 and a personalized message can be attached to each gift. Facebook users can also send  
15 each other "pokes," which are free and simply result in a notification to the recipient that  
16 he or she has been "poked" by the sender.

17           65.       Facebook also has a Marketplace feature, which allows users to post free  
18 classified ads. Users can post items for sale, housing, jobs, and other items on the  
19 Marketplace.

20           66.       In addition to the applications described above, Facebook also provides  
21 its users with access to thousands of other applications on the Facebook platform. When  
22 a Facebook user accesses or uses one of these applications, an update about that the  
23 user's access or use of that application may appear on the user's profile page.

24           67.       Some Facebook pages are affiliated with groups of users, rather than one  
25 individual user. Membership in the group is monitored and regulated by the  
26 administrator or head of the group, who can invite new members and reject or accept  
27 requests by users to enter. Facebook can identify all users who are currently registered to  
28 a particular group and can identify the administrator and/or creator of the group.

1 Facebook uses the term “Group Contact Info” to describe the contact information for the  
2 group’s creator and/or administrator, as well as a PDF of the current status of the group  
3 profile page.

4 68. Facebook uses the term “Neoprint” to describe an expanded view of a  
5 given user profile. The “Neoprint” for a given user can include the following information  
6 from the user’s profile: profile contact information; News Feed information; status  
7 updates; links to videos, photographs, articles, and other items; Notes; Wall postings;  
8 friend lists, including the friends’ Facebook user identification numbers; groups and  
9 networks of which the user is a member, including the groups’ Facebook group  
10 identification numbers; future and past event postings; rejected “Friend” requests;  
11 comments; gifts; pokes; tags; and information about the user’s access and use of  
12 Facebook applications.

13 69. Facebook also retains Internet Protocol (“IP”) logs for a given user ID or  
14 IP address. These logs may contain information about the actions taken by the user ID or  
15 IP address on Facebook, including information about the type of action, the date and time  
16 of the action, and the user ID and IP address associated with the action. For example, if a  
17 user views a Facebook profile, that user’s IP log would reflect the fact that the user  
18 viewed the profile, and would show when and from what IP address the user did so.

19 70. Social networking providers like Facebook typically retain additional  
20 information about their users’ accounts, such as information about the length of service  
21 (including start date), the types of service utilized, and the means and source of any  
22 payments associated with the service (including any credit card or bank account number).  
23 In some cases, Facebook users may communicate directly with Facebook about issues  
24 relating to their accounts, such as technical problems, billing inquiries, or complaints  
25 from other users. Social networking providers like Facebook typically retain records  
26 about such communications, including records of contacts between the user and the  
27 provider’s support services, as well as records of any actions taken by the provider or  
28 user as a result of the communications.

71. Therefore, the computers of Facebook are likely to contain all the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and other account information. I believe such information is likely to help me locate the fugitive described in this affidavit.

#### **INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

72. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

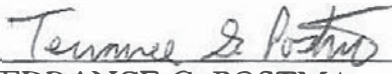
73. As indicated in the Motion for Nondisclosure and Motion to Seal that accompany this affidavit, the government requests, pursuant to the preclusion of notice provisions of Title 18, United States Code, Section 2705(b), that Facebook be ordered not to notify any person (including the subscriber or customer to which the materials relate) of the existence of this warrant for such period as the Court deems appropriate. The government submits that such an order is justified because notification of the existence of this Order would seriously jeopardize the ongoing investigation. Such a disclosure would give the subscriber an opportunity to destroy evidence, change patterns of behavior, notify confederates, or flee or continue his flight from prosecution.

74. It is further respectfully requested that this Court issue an order sealing all papers submitted in support of this application, including the application and search warrant until such dates as provided in the proposed Order. I believe that sealing this document is necessary because the items and information to be seized are relevant to an ongoing investigation. Premature disclosure of the contents of this affidavit and related

documents may have a significant and negative impact on the continuing investigation and may severely jeopardize its effectiveness.

### CONCLUSION

75. Based on the forgoing, I request that the Court issue the proposed search warrant. This Court has jurisdiction to issue the requested warrants because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. *See* 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that – has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i). Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of these warrants. Accordingly, by this Affidavit and Search Warrant, I seek authority for the government to search all of the items specified in Section I, Attachment B (attached hereto and incorporated by reference herein) to the Warrant, and specifically to seize all of the data, documents and records that are identified in Section II to that same Attachment.

  
 TERRANCE G. POSTMA  
 Special Agent  
 Federal Bureau of Investigation

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit on this 1st day of June, 2020.

  
 HON. J. RICHARD CREATURA  
 United States Magistrate Judge



**ATTACHMENT A****Property to Be Searched**

This warrant applies to information associated with the following accounts, each identified by Facebook user ID (“Subject Accounts”):

- (1) Facebook user ID 100045392260014 (Subject Account 1),
- (2) Facebook user ID 100036795438133 (Subject Account 2),
- (3) Facebook user ID 100027212567730 (Subject Account 3),
- (4) Facebook user ID 100033232150177 (Subject Account 4),
- (5) Facebook user ID 100034418213234 (Subject Account 5),
- (6) Facebook user ID 100030779393705 (Subject Account 6),
- (7) Account(s) associated with telephone number +52-4471126811 (Subject Account 7), and
- (8) Facebook user ID 100051612820819 (Subject Account 8),

For Subject Accounts 1 through 6, this warrant applies to all such information, created on or since **May 27, 2020**, that is stored at premises owned, maintained, controlled, or operated by Facebook, a company headquartered in Menlo Park, California.

For Subject Account 7, this warrant applies to all such information, created on or since **May 12, 2020**, that is stored at premises owned, maintained, controlled, or operated by Facebook, a company headquartered in Menlo Park, California.

For Subject Account 8, this warrant applies to all such information, created on or since **May 27, 2020**, that is stored at premises owned, maintained, controlled, or operated by Facebook, a company headquartered in Menlo Park, California.

**ATTACHMENT B**

**Particular Things to be Seized**

**I. Information to be disclosed by Facebook**

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

A. The following information about the customers or subscribers of the Subject Accounts:

- (a) User Neoprint - all user contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers associated with the current profile information, and all wall postings and messages to and from the user.
- (b) All activity logs for the Subject Accounts and all other documents showing the user's posts and other Facebook activities;
- (c) User photoprint and videos - all photos and videos uploaded, "liked", or tagged by the user, along with all photos uploaded by any user which have the user tagged in them, any associated photos or links to photos in their original format, including all original meta-data or "EXIF" information;

- (d) All profile information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend and family lists, including the friend and family Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;
- (e) All other records of communications and messages made or received by the user, including all private messages, chat history, calling history, and pending "Friend" requests;
- (f) All "check ins" and other location information;
- (g) I.P. Logs - all IP logs showing log-in and log-off and intraconnection I.P. activity including I.P. addresses and date/time stamps for account accesses as well as account creation I.P. address, date, and time. Provide source port information for each I.P. log-in and log-off event for the Subject Accounts;
- (h) All records of the Subject Accounts' usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked";
- (i) All information about the Facebook pages that each Subject Account is or was a "fan" of;
- (j) User Friends List/Information – provide a full list of all past and present friends for the Subject Accounts, including all messages and postings between accounts and listed friends;
- (k) All records of Facebook searches performed by the Subject Accounts;
- (l) All information about the user's access and use of Facebook Marketplace;
- (m) The types of service utilized by the user;
- (n) The length of service (including start date);

- (o) The means and source of payment for such service (including any credit card or bank account number) and billing records;
- (p) All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the Subject Accounts;
- (q) All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken;
- (r) Names (including subscriber names, Facebook user IDs, and screen names);
- (s) Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
- (t) Local and long distance telephone connection records;
- (u) Push Tokens - any unique identifiers that would assist in identifying the device(s) associated with the Subject Accounts, including push notification tokens associated with the Subject Accounts (including Apple Push Notification (APN), Google Cloud Messaging (GCM), Microsoft Push Notification Service (MPNS), Windows Push Notification Service (WNS), Amazon Device Messaging (ADM), and Baidu Cloud Push, phone numbers, IMEI/ESN, serial numbers, instrument numbers), MAC addresses, IP addresses, email addresses, and subscriber information;
- (v) Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol ("IP" addresses) associated with those sessions along with time, type, machine (including MAC addresses) cookie, city, region, country, device, and browser;
- (w) Facial recognition data;
- (x) Linked accounts;
- (y) Family members associated with the user of each Subject Account;

- 1 (z) Work of the user of each Subject Account;
- 2 (aa) Telephone or instrument numbers or identities (including MAC addresses);
- 3 (bb) Other subscriber numbers or identities (including temporarily assigned
- 4 network addresses and registration IP addresses);
- 5 (cc) User Contact Information – all user contact information input by the user
- 6 including name, birthdate, contact email address(es), other related email
- 7 addresses, address, city, state, zip code, all phone numbers, screen name(s),
- 8 and website information, to include basic subscriber information and
- 9 expanded subscriber information;
- 10 (dd) Group Contact Information – a list of the user’s currently registered groups;
- 11 (ee) Location Information – all information pertaining to location data for the
- 12 Subject Accounts, including but not limited to geo-location data and all
- 13 other geo-tagging or geo-location related information;
- 14 (ff) Device Information – all information pertaining to devices used to upload
- 15 photos, posts, messages, or updates, including but not limited to Apple
- 16 UDID, mobile phone number, mobile device ID numbers, and all other
- 17 information related to the devices;
- 18 (gg) Poke Information – all information pertaining to “pokes” initiated by or
- 19 received by the Subject Accounts;
- 20 (hh) Private Messages – all information pertaining to any and all private
- 21 messages to include content, call logs, and location information for the
- 22 Subject Accounts;
- 23 (ii) Facebook Messenger – all information pertaining to any and all incoming
- 24 and outgoing Facebook messenger text strings and conversations for the
- 25 Subject Accounts; and
- 26 (jj) All other account information including: any “about you” information, ads,
- 27 apps and websites, calls and messages, comments, events, following and
- 28 followers, friends, groups, likes and reactions, location history,

marketplace, messages, other activity, pages, payment history, photos and videos, posts, profile information, saved items, search history, security and login information, and “your places” information.

B. All records and other information (not including the contents of communications) relating to the Subject Accounts, including:

- (a) Records of user activity for each connection activity for each connection made to or from the Subject Accounts, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination of Internet Protocol addresses;
- (b) Information about each communication sent or received by the Subject Accounts, including the date and time of the communication, the method of the communication (such as source and destination email addresses, IP addresses, and telephone numbers); and
- (c) Records of any Facebook accounts that are linked to the Subject Accounts by machine cookies (meaning all Facebook user IDs that logged into Facebook by the same machine or device as each Subject Account).

## **II. Information to be seized by the government**

All information described above in Section I that relates to the ongoing fugitive investigation involving Santiago Mederos, including, for each user ID identified on Attachment A, information pertaining to the following matters:

- (a) Any content including e-mails, messages, texts, photographs (including metadata), videos (including metadata), visual images, documents, spreadsheets, address lists, contact lists or communications of any type which could be used to identify the user and or their location.
- (b) Records relating to who created, used, or communicated with the user ID, including records about their identities and whereabouts.



- 1 (c) All subscriber records associated with the Subject Accounts, including  
2 name, address, local and long distance telephone connection records, or  
3 records of session times and durations, length of service (including start  
4 date) and types of service utilized, telephone or instrument number or other  
5 subscriber number or identity, including any temporarily assigned network  
6 address, and means and source of payment for such service including any  
7 credit card or bank account number.
- 8 (d) Any and all other log records, including IP address captures, associated  
9 with the Subject Accounts;
- 10 (e) Any records of communications between Facebook and any person about  
11 issues relating to the account, such as technical problems, billing inquiries,  
12 or complaints from other users about any of the Subject Accounts. This is  
13 to include records of contacts between the subscriber and the provider's  
14 support services, as well as records of any actions taken by the provider or  
15 subscriber as a result of the communications.
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**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS  
RECORDS PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)**

I, \_\_\_\_\_, attest, under penalties of perjury  
under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the  
information contained in this declaration is true and correct. I am employed by  
Facebook, and my official title is \_\_\_\_\_. I am a custodian  
of records for Facebook. I state that each of the records attached hereto is the original  
record or a true duplicate of the original record in the custody of Facebook, and that I am  
the custodian of the attached records consisting of \_\_\_\_\_ (pages/CDs/kilobytes). I  
further state that:

- a. all records attached to this certificate were made at or near the time of the  
occurrence of the matter set forth, by, or from information transmitted by, a person with  
knowledge of those matters;
- b. such records were kept in the ordinary course of a regularly conducted business  
activity of Facebook; and
- c. such records were made by Facebook as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the  
Federal Rules of Evidence.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature